



IFW 2638

[11890/2]

**UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s) : Marcel SCHEMMANN et al.  
Serial No. : 09/871,216  
Filed : May 31, 2001  
For : METHOD AND SYSTEM FOR A POLARIZATION  
MODE DISPERSION TOLERANT OPTICAL  
HOMODYNE DETECTION SYSTEM WITH  
OPTIMIZED TRANSMISSION MODULATION

Art Unit : 2638  
Examiner : Hanh Phan

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:  
Mail Stop: Amendment  
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450  
on  
Date: 3/17/06 Reg. No. 35,952  
Signature: [Signature]

**TRANSMITTAL FOR AMENDMENT IN RESPONSE TO  
NOTICE OF NON-COMPLIANT AMENDMENT**

SIR:

Transmitted herewith for filing is the Response to Notice of Non-Complaint Amendment for the above-identified application. The Notice of Non-Complaint Amendment is dated February 17, 2006.

No fee is believed to be required. However, if any fee is required, please use Deposit Account No. 11-0600. A duplicate copy of this transmittal letter is enclosed for that purpose.

Respectfully submitted,

KENYON & KENYON LLP

Dated: 3/17/06

By: [Signature]  
Gerard A. Messina  
Reg. No. 35,952

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New York, NY 10004  
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**RESPONSE TO NOTICE OF NON-COMPLAINT AMENDMENT**

Sir:

In response to the Notice of Non-Compliant Amendment dated February 17, 2006, reconsideration of the above-referenced application is respectfully requested.

**Amendments to the Claims** are reflected in the listing of the claims which begins on page 2 of this paper, in order to comply with the Notice of Non-Compliant Amendment.

**Remarks** begin on page 16 of this paper.